

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
WINSTON-SALEM DIVISION**

FEDERAL TRADE COMMISSION,
STATE OF CALIFORNIA, STATE OF
COLORADO, STATE OF ILLINOIS,
STATE OF INDIANA, STATE OF
IOWA, STATE OF MINNESOTA,
STATE OF NEBRASKA, STATE OF
OREGON, STATE OF TENNESSEE,
STATE OF TEXAS, STATE OF
WASHINGTON, and STATE OF
WISCONSIN,

Plaintiffs,

v.

SYNGENTA CROP PROTECTION AG,
SYNGENTA CORPORATION,
SYNGENTA CROP PROTECTION,
LLC, and CORTEVA, INC.,

Defendants.

Case No. 1:22-cv-00828-TDS-JEP

IN RE CROP PROTECTION PRODUCTS
LOYALTY PROGRAM ANTITRUST
LITIGATION

Case No. 1:23-md-3062-TDS-JEP

PLAINTIFFS' MOTION FOR ENTRY OF COORDINATION ORDER

Plaintiffs Federal Trade Commission and the states of California, Colorado, Illinois, Indiana, Iowa, Minnesota, Nebraska, Oregon, Tennessee, Texas, Washington, and Wisconsin, acting by and through their respective Attorneys General ("Government Plaintiffs"), and the plaintiffs named in any consolidated or member case in *In re Crop*

Protection Products Loyalty Program Antitrust Litigation, 1:23-md-3062-TDS-JEP (the “MDL Plaintiffs”) (together, “Plaintiffs”) hereby move the Court to enter the attached Proposed Order regarding coordination of discovery in two related actions pending before this court, *Federal Trade Commission, et al. v. Syngenta Crop Protection AG, et al.*, Civil Action No. 22-cv-828-TDS-JEP and *In re Crop Protection Products Loyalty Program Antitrust Litigation*, 1:23-md-3062-TDS-JEP. The grounds for Plaintiffs’ motion are set forth in the contemporaneously filed memorandum of law in support of this motion.

The Parties agree that the issues raised in Plaintiffs’ and Defendants’ respective cross-motions can be ruled on at the conference scheduled for May 23, 2024, consistent with the Court’s May 2, 2024 Order.

WHEREFORE, Plaintiffs respectfully request that the court grant its motion and enter a Coordination Order adopting Plaintiffs’ proposals. A proposed order is attached to this motion.

Dated: May 20, 2024

Respectfully submitted,

/s/ Allyson M. Maltas
ALLYSON M. MALTAS
Senior Trial Counsel
Federal Trade Commission
Bureau of Competition
600 Pennsylvania Avenue, NW
Washington, DC 20580
Telephone: (202) 326-3646
Email: amaltas@ftc.gov

KARNA ADAM
JOSEPH R. BAKER

WESLEY G. CARSON
ROBERT Y. CHEN
ELIZABETH A. GILLEN
PHILIP J. KEHL
MICHAEL J. TURNER
JAMES H. WEINGARTEN

Attorneys for Plaintiff Federal Trade Commission

/s/ Nicole S. Gordon
NICOLE S. GORDON
Deputy Attorney General
Office of the California Attorney General
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94610
Telephone: (415) 510-4400
Email: nicole.gordon@doj.ca.gov

Attorney for Plaintiff State of California

/s/ Conor J. May
JAN M. ZAVISLAN
Senior Counsel
CONOR J. MAY
Assistant Attorney General
Colorado Department of Law
Office of the Attorney General
Ralph L. Carr Judicial Center
1300 Broadway, 7th Floor
Denver, CO 80203
Telephone: (720) 508-6000
Email: Jan.Zavislan@coag.gov
Conor.May@coag.gov

Attorneys for Plaintiff State of Colorado

/s/ Paul J. Harper
PAUL J. HARPER
Assistant Attorney General, Antitrust
Office of the Illinois Attorney General
115 S. LaSalle Street
Chicago, IL 60603
Telephone: (312) 814-3000
Email: paul.harper@ilag.gov

Attorney for Plaintiff State of Illinois

/s/ Matthew Michaloski
MATTHEW MICHALOSKI
CHRISTI FOUST
Deputy Attorneys General
SCOTT BARNHART
Chief Counsel and Director of Consumer
Protection
Office of the Indiana Attorney General
Indiana Government Center South – 5th Fl.
302 W. Washington Street
Indianapolis, IN 46204-2770
Telephone: (317) 234-1479
Email: matthew.michaloski@atg.in.gov
christi.foust@atg.in.gov
scott.barnhart@atg.in.gov

Attorneys for Plaintiff State of Indiana

/s/ Noah Goerlitz

NOAH GOERLITZ

Assistant Attorney General
Office of the Iowa Attorney General
1305 E. Walnut St.
Des Moines, IA 50319
Telephone: (515) 725-1018
Email: noah.goerlitz@ag.iowa.gov

Attorney for Plaintiff State of Iowa

/s/ Katherine Moerke

KATHERINE MOERKE

JASON PLEGGENKUHLE
ELIZABETH ODETTE
Assistant Attorneys General
Office of the Minnesota Attorney General
445 Minnesota Street, Suite 1200
St. Paul, MN 55101-2130
Telephone: (651) 296-3353
Email: katherine.moerke@ag.state.mn.us
jason.pleggenkuhle@ag.state.mn.us
elizabeth.odette@ag.state.mn.us

Attorneys for Plaintiff State of Minnesota

/s/ Colin P. Snider

COLIN P. SNIDER

Office of the Attorney General of
Nebraska
2115 State Capitol Building
Lincoln, NE 68509
Telephone: (402) 471-3840
Email: Colin.Snider@nebraska.gov

Attorneys for Plaintiff State of Nebraska

/s/ Timothy D. Smith

TIMOTHY D. SMITH

Senior Assistant Attorney General
Antitrust and False Claims Unit
Oregon Department of Justice
100 SW Market St
Portland, OR 97201
Telephone: (503) 934-4400
Email: tim.smith@doj.state.or.us

Attorney for Plaintiff State of Oregon

/s/ Hamilton Millwee

HAMILTON MILLWEE

Assistant Attorney General
TATE BALL
Assistant Attorney General
Office of the Attorney General of
Tennessee
P.O. Box 20207
Nashville, TN 37202
Telephone: (615) 291-5922
Email: Hamilton.Millwee@ag.tn.gov
Tate.Ball@ag.tn.gov

Attorneys for Plaintiff State of Tennessee

/s/ William Shieber

JAMES LLOYD

Chief, Antitrust Division
TREVOR YOUNG
Deputy Chief, Antitrust Division
WILLIAM SHIEBER
Assistant Attorney General
Office of the Attorney General of Texas
300 West 15th Street
Austin, TX 78701
Telephone: (512) 936-1674
Email: William.Shieber@oag.texas.gov

Attorneys for Plaintiff State of Texas

/s/ Luminita Nodit
LUMINITA NODIT
Assistant Attorney General,
Antitrust Division
Washington State Office
of the Attorney General
800 Fifth Ave., Suite 2000
Seattle, WA 98104
Telephone: (206) 254-0568
Email: Lumi.Nodit@atg.wa.gov

*Attorney for Plaintiff State
of Washington*

/s/ Daniel L. Brockett
Daniel L. Brockett (pro hac vice)
QUINN EMANUEL URQUHART &
SULLIVAN, LLP
51 Madison Avenue, 22nd Floor
New York, New York 10010
Tel. (212) 849-7345
Facsimile (212) 849-7100
danbrockett@quinnemanuel.com
Interim Class Counsel

Steig D. Olson (pro hac vice)
QUINN EMANUEL URQUHART &
SULLIVAN, LLP
51 Madison Avenue
New York, New York 10010
Phone (212) 849-7231
Fax (212) 849-7100
steigolson@quinnemanuel.com
Interim Class Counsel

/s/ Laura E. McFarlane
LAURA E. MCFARLANE
Assistant Attorney General
Wisconsin Department of Justice
Post Office Box 7857
Madison, WI 53707-7857
Telephone: (608) 266-8911
Email: mcfarlanele@doj.state.wi.us

Attorney for Plaintiff State of Wisconsin

/s/ Jay J. Chaudhuri
Jay J. Chaudhuri
N.C. State Bar No. 27747
COHEN MILSTEIN SELLERS & TOLL
PLLC
50 Fayetteville St., Suite 980
Raleigh, NC 27601
Telephone (919) 890-0560
Facsimile (919) 890-0567
jchaudhuri@cohenmilstein.com
Interim Class Counsel

Michael B. Eisenkraft (pro hac vice)
COHEN MILSTEIN SELLERS & TOLL
PLLC
88 Pine Street, 14th Floor
New York, New York 10005
Telephone (212) 838-7797
Facsimile (212) 838-7745
meisenkraft@cohenmilstein.com
Interim Class Counsel

Sami H. Rashid (pro hac vice)
QUINN EMANUEL URQUHART &
SULLIVAN, LLP
51 Madison Avenue, 22nd Floor
New York, New York 10010
Tel. (212) 849-7237
Facsimile (212) 849-7100
samirashid@quinnemanuel.com
Interim Class Counsel

Jeremy Andersen (pro hac vice)
QUINN EMANUEL URQUHART &
SULLIVAN, LLP
865 South Figueroa Street, 10th Floor
Los Angeles, CA 90017-2543
Tel. (213) 443-3685
Facsimile (213) 443-3100
jeremyandersen@quinnemanuel.com
Interim Class Counsel

/s/ Vincent Briganti
LOWEY DANNENBERG, PC
Vincent Briganti (pro hac vice)
Christian Levis (pro hac vice)
Margaret MacLean (pro hac vice)
Roland R. St. Louis, III (pro hac vice)
44 South Broadway, Suite 1100
White Plains, New York 10601
Tel. (914) 997-0500
Fax: (914) 997-0035
vbriganti@lowey.com
clevis@lowey.com
mmaclean@lowey.com
rstlouis@lowey.com
Interim Class Counsel

Nina Jaffe-Geffner (pro hac vice)
COHEN MILSTEIN SELLERS & TOLL
PLLC
1100 New York Avenue, Suite 500, NW
Washington D.C. 20005
Tel: (202) 408-4600
Njaffegeffner@cohenmilstein.com
Interim Class Counsel

/s/ Christopher M. Burke
Christopher M. Burke
Walter Noss
Yifan (Kate) Lv
KOREIN TILLERY PC
707 Broadway, Suite 1410
San Diego, CA 92101
Tel: (619) 625-5621
cburke@koreintillery.com
wnoss@koreintillery.com
klv@koreintillery.com
Interim Class Counsel

/s/ Lyn K. Broom

Richard L. Pinto N.C. State Bar No. 9412

Kenneth Kyre, Jr. N.C. State Bar No. 7848

Lyn K. Broom N.C. State Bar No. 17674

PINTO COATES KYRE & BOWERS,

PLLC

3202 Brassfield Road

Greensboro, NC 27410

Tel: (336) 282-8848

Facsimile: (336) 282-8409

rpinto@pckb-law.com

kkyre@pckb-law.com

lbroom@pckb-law.com

Liaison Counsel